

REMARKS

This application has been carefully reviewed in light of the Office Action dated September 3, 2008. Claims 1, 11, 12, 15 and 16 are pending in the application, of which Claims 1 and 11 are independent. Reconsideration and withdrawal of this rejection are respectfully requested.

Claims 11, 12, 15 and 16 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 7,283,267 (Mitsubori) in view of U.S. Published Appln. No. 2002/0131080 (Enomoto). Reconsideration and withdrawal of this rejection are respectfully requested.

The present invention concerns generating one or more print jobs based on a print order. Once the print jobs are generated, they are assigned to one or more print devices. Alternatively, the content is printed using an assigned print device. In one aspect of the invention, when it is judged that the print order for the content does not indicate color printing, printing of the content is controlled so as to generate a plurality of print jobs based on the print order, to assign the generated plurality of print jobs to a plurality of print devices having a designated type that matches the print order, respectively, and to print the content using the assigned plurality of print devices. In another aspect of the invention, when it is judged that the print order for the content indicates color printing, printing of the content is controlled so as to generate a single print job based on the print order, to assign the generated single print job to a single print device selected from among a plurality of print devices having a designated type matching with the print order, and to print the content using the assigned single print device.

Turning to specific claim language, amended independent Claim 11 is directed to a print service system which includes an acquiring unit adapted to acquire a designated type of print devices for printing a content based on a print order; a first judging unit adapted to judge

whether or not the print order for the content indicates color printing; and a print control unit adapted to control the printing of the content so as to generate a plurality of print jobs based on the print order, assign the generated plurality of print jobs to a plurality of print devices having a designated type matching with the print order, respectively, and print the content using the print order for the plurality of print devices, when the first judging unit judges that the print order for the content does not indicate color printing, but so as to generate a single print job based on the print order, assign the generated single print job to a single print device selected from among a plurality of print devices having a designated type matching with the print order, and print the content using the assigned single print device, when the first judging unit judges that the print order for the content indicates color printing.

Claim 15 is directed to a method substantially in accordance with the system of Claim 11.

Applicants submit that Mitsubori and Enomoto, whether considered alone or in combination, fail to disclose or suggest all of the features of Claims 11 and 15. Specifically, the cited references, whether taken alone or in combination, fail to disclose or suggest the features of acquiring a designated type of print devices for printing a content based on a print order, judging whether or not the print order for the content indicates color printing, and controlling the printing of the content so as to generate a plurality of print jobs based on the print order, assign the generated plurality of print jobs to a plurality of print devices having a designated type matching with the print order, respectively, and print the content using the assigned plurality of print devices, when it is judged that the print order for the content does not indicate color printing, but so as to generate a single print job based on the print order, assign the generated single print job to a single print device selected from among a plurality of print devices having a designated type

matching with the print order, and the content using the assigned single print device, when it is judged that the print order for the content indicates color printing.

In contrast to the present invention, Mitsubori discloses judging whether document image data is monochrome or color in S907 of Fig. 25, and if the document image data is color, the image data is printed in steps S908 and S909 of Fig. 25. However, if the document image data is monochrome and an output printer is cable for color printing, a Web page is downloaded at steps S913 and S914 of Fig. 25 and Web page image data is printed in color at steps S915 to S917 of Fig. 25.

However, Mitsubori is entirely silent regarding controlling the printing of the content so as to generate a plurality of print jobs based on the print order, assign the generated plurality of print jobs to a plurality of print devices having a designated type matching with the print order, respectively, and print the content using the assigned plurality of print devices, when it is judged that the print order for the content does not indicate color printing as featured in Claims 11 and 15.

Furthermore, Enomoto only discloses processing when a print order is a reorder. Therefore, Enomoto also fails to disclose or suggest controlling the printing of the content so as to generate a plurality of print jobs based on the print order, assign the generated plurality of print jobs to a plurality of print devices having a designated type matching with the print order, respectively, and print the content using the assigned plurality of print devices, when it is judged that the print order for the content does not indicate color printing. Therefore, even if Mitsubori and Enomoto were combined, which Applicants do not concede is permissible, they cannot be said to disclose or suggest the system featured in Claim 11 or the method of Claim 15.

Furthermore, Applicants have reviewed the remaining cited references and submit

that Chiba, Kemp and Knapp, also fail to disclose or suggest controlling the printing of the content so as to generate a plurality of print jobs based on the print order, assign the generated plurality of print jobs to a plurality of print devices having a designated type matching with the print order, respectively, and print the content using the assigned plurality of print devices, when it is judged that the print order for the content does not indicate color printing.

In light of the deficiencies of the cited references as discussed above, Applicants submit that Claims 11 and 15 are now in condition for allowance and respectfully request same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

CONCLUSION

No claim fees are believed due; however, should it be determined that additional claim fees are required, the Director is hereby authorized to charge such fees to Deposit Account 06-1205.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Frank Cire #42,419/
Frank L. Cire
Attorney for Applicants

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

FGHS_WS 2623072v1